## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF VIRGINIA NORFOLK DIVISION

I/P ENGINE, INC.

Plaintiff,

v.

Civil Action No. 2:11-cv-512

AOL INC., et al.,

Defendants.

# MOTION TO SEAL PORTIONS OF THE ORDER ON THE FINAL PRETRIAL CONFERENCE

Pursuant to Local Rule 5 and the Agreed Protective Order entered in this matter on January 23, 2012 (Dkt. 85) ("Protective Order"), Defendants Google Inc., Target Corporation, IAC Search & Media, Inc., Gannet Co., Inc. and AOL Inc. (collectively "Defendants"), respectfully move this Court for entry of the attached Order permitting Defendants to file under seal Portions of the Order on the Final Pretrial Conference ("Portions of the Final Pretrial Conference Order"). Grounds and authorities for this Motion are set forth in Defendants' Memorandum in Support of Motion to Seal. In compliance with Local Rule 5, Defendants attach a Proposed Order as **Exhibit 1** and are filing separately a Public Notice of Defendants' Motion to Seal. Defendants request that the Court retain sealed materials until forty-five (45) days after a final order is entered and requests that, unless the case is appealed, any sealed materials be returned to counsel for the filing parties.

DATED: October 8, 2012 /s/ Stephen E. Noona

Virginia State Bar No. 25367 KAUFMAN & CANOLES, P.C. 150 West Main Street, Suite 2100 Norfolk, VA 23510

Telephone: (757) 624-3000 Facsimile: (757) 624-3169 senoona@kaufcan.com

David Bilsker
David A. Perlson
QUINN EMANUEL URQUHART &
SULLIVAN, LLP
50 California Street, 22nd Floor
San Francisco, California 94111
Telephone: (415) 875-6600
Facsimile: (415) 875-6700
davidbilsker@quinnemanuel.com
davidperlson@quinnemanuel.com

Counsel for Google Inc., Target Corporation, IAC Search & Media, Inc., and Gannett Co., Inc.

#### /s/ Stephen E. Noona

Stephen E. Noona Virginia State Bar No. 25367 KAUFMAN & CANOLES, P.C. 150 W. Main Street, Suite 2100 Norfolk, VA 23510

Telephone: (757) 624-3000 Facsimile: (757) 624-3169

#### Robert L. Burns

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, LLP
Two Freedom Square
11955 Freedom Drive
Reston, VA 20190

Telephone: (571) 203-2700 Facsimile: (202) 408-4400

Cortney S. Alexander
FINNEGAN, HENDERSON, FARABOW, GARRETT &
DUNNER, LLP
3500 SunTrust Plaza
303 Peachtree Street, NE
Atlanta, GA 94111

Telephone: (404) 653-6400 Facsimile: (415) 653-6444

 $Counsel\ for\ Defendant\ AOL\ Inc.$ 

### **CERTIFICATE OF SERVICE**

I hereby certify that on October 8, 2012, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

Jeffrey K. Sherwood Kenneth W. Brothers DICKSTEIN SHAPIRO LLP 1825 Eye Street NW Washington, DC 20006 Telephone: (202) 420-2200 Facsimile: (202) 420-2201 sherwoodj@dicksteinshapiro.com brothersk@dicksteinshapiro.com

Donald C. Schultz W. Ryan Snow Steven Stancliff CRENSHAW, WARE & MARTIN, P.L.C. 150 West Main Street, Suite 1500 Norfolk, VA 23510 Telephone: (757) 623-3000 Facsimile: (757) 623-5735

Facsimile: (757) 623-3000 Facsimile: (757) 623-5735 dschultz@cwm-law.cm wrsnow@cwm-law.com sstancliff@cwm-law.com

Counsel for Plaintiff, I/P Engine, Inc.

Craig C. Reilly Esq. Law Office of Craig C. Reilly 111 Oronoco Street Alexandria, VA 22314 Telephone: (703) 549-5354 Facsimile: (703) 549-2604 craig.reilly@ccreillylaw.com

Craig T. Merritt Christian & Barton, LLP 909 E. Main Street, Suite 1200 Richmond VA 23219-3095 Telephone: (804) 697-4128 Facsimile: (804) 697-6128 cmerritt@cblaw.com Roderick G. Dorman (pro hac vice)

Jeanne Irving (pro hac vice)

Alan P. Block (pro hac vice)

Jeffrey Huang (pro hac vice)

McKool Smith Hennigan P.C.

865 South Figueroa Street, Suite 2900

Los Angeles, CA 90017 Telephone: (213) 694-1200 Facsimile: (213) 694-1234

rdorman@mckoolsmithhennigan.com jirving@mckoolsmithhennigan.com ablock@mckoolsmithhennigan.com jhuang@mckoolsmithhennigan.com

Douglas A. Cawley (pro hac vice) McKool Smith P.C. 300 Crescent Court, Suite 1500 Dallas, TX 75201

Telephone: (214) 978-4000 Facsimile: (214) 978-4044

dcawley@mckoolsmithhennigan.com acurry@mckoolsmithhennigan.com

Counsel for Plaintiff Suffolk Technologies, LLC

#### /s/ Stephen E. Noona

Stephen E. Noona Virginia State Bar No. 25367 KAUFMAN & CANOLES, P.C. 150 West Main Street, Suite 2100 Norfolk, VA 23510

Telephone: (757) 624-3000 Facsimile: (757) 624-3169 senoona@kaufcan.com